

**ASSEMBLY BILL**

**No. 897**

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**Introduced by Assembly Member Coto**

February 18, 2005

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An act to add Section 56353 to the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 897, as introduced, Coto. Braille mathematics.

Existing law requires pupils to pass a high school exit examination and to pass a course that has algebra content as a prerequisite to graduating from high school.

Existing law requires school districts, special education local plan areas, or county offices of education to provide opportunities for Braille instruction for pupils who, due to a prognosis of visual deterioration, may be expected to have a need for Braille as a reading medium.

This bill would also require these entities to provide opportunities for those pupils to learn the Nemeth code, also known as the Braille math code, in order to learn the mathematics necessary to pass the high school exit examination and the course with algebra that is required for graduation from high school.

In addition, the bill would require the State Board of Education to ensure that pupils with visual impairments, described above, are given the same opportunities to learn mathematics as pupils who are not visually impaired.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. (a) The Legislature finds and declares all of the  
2 following:

3     (1) In 2002, President Bush signed the No Child Left Behind  
4 Act of 2001, which promised sweeping changes in public  
5 education for all pupils.

6     (2) The act is based on the idea that literacy is the foundation  
7 for all other learning, and the act includes an assessment of  
8 children with disabilities in order to measure their progress with  
9 required reading and mathematics skills.

10    (3) Blind children in California have suffered in the public  
11 schools as a result of a persistent shortage of teachers qualified to  
12 teach reading, writing, and mathematics.

13    (4) Beginning in 2005, high school pupils will be required to  
14 pass an exit examination in order to graduate from high school  
15 and receive a diploma. In order to pass this exit examination,  
16 pupils must have comprehension and understanding of algebra  
17 skills, among other things. In addition, beginning in 2006, pupils  
18 may not graduate from high school or receive a diploma, unless  
19 they have completed a course with algebra content. Pupils who  
20 are blind are subject to these requirements.

21    (5) The National Federation of the Blind of California (NFBC)  
22 sponsored legislation in 2002 that mandated the teaching of  
23 Braille, which is the code used by the blind for reading and  
24 writing, to children in public schools. To further ensure that blind  
25 children learn proper reading and writing skills, the Legislature  
26 enacted a law in 2003 that created Braille reading standards that  
27 closely parallel the standards applied to sighted pupils learning to  
28 read and write in print.

29    (6) The NFBC recognizes that every functionally blind pupil  
30 must be successfully taught the Nemeth code in order to meet the  
31 graduation requirements relating to mathematics. In order for  
32 pupils to learn this code, the state must develop standards for the  
33 instruction of this code. Sighted pupils have standards for  
34 learning mathematics, and standards must be developed for blind  
35 pupils as well.

36    (7) Over the decades, the large majority of blind pupils  
37 graduated from the California public schools are illiterate, and  
38 these people go on to lifetimes of unemployment, never reaching

1 their potential or being prepared to contribute to society in  
2 meaningful ways.

3 (8) It is discriminatory of blind pupils to fail to provide for  
4 them the basic education to which they are entitled, and that they  
5 need, in order to graduate from high school and succeed as  
6 adults.

7 (b) It is the intent of the Legislature to pass legislation that  
8 would require that blind pupils be taught the Nemeth code in  
9 order to learn the mathematics necessary to pass the high school  
10 exit examination and the algebra requirement for graduation, and  
11 that would also require the State Board of Education to ensure  
12 that mathematics standards that apply to sighted pupils also apply  
13 to pupils who are blind.

14 SEC. 2. Section 56353 is added to the Education Code, to  
15 read:

16 56353. (a) Districts, special education local plan areas, or  
17 county offices shall provide opportunities for Nemeth code  
18 instruction, also known as the Braille math code, for pupils who,  
19 due to a visual impairment, may be expected to have a need to  
20 learn the Nemeth code in order to learn the mathematics  
21 necessary to pass the high school exit examination and the course  
22 with algebra that is required for graduation from high school.

23 (b) The State Board of Education shall ensure that pupils  
24 described in subdivision (a) are given the same opportunities to  
25 learn mathematics as pupils who are not visually impaired.